

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
Date: August 16, 2017**

Name		Title	Present	Absent
Ashby, D.		Commissioner		
Bouyoukas, E.		Commissioner		
Evans, K.		Commissioner		
Gavgani, M. Z.		Commissioner/President		
Hardesty, J.		Commissioner		
Leikach, N.		Commissioner		
Morgan, K.		Commissioner/Treasurer		
Oliver, B.		Commissioner		
Peters, R.		Commissioner		
St. Cyr, II, Z. W.		Commissioner/Secretary		
Toney, R.		Commissioner		
Yankellow, E.		Commissioner		
Bethman, L.		Board Counsel		
Felter, B.		Staff Attorney		
Speights-Napata, D.		Executive Director		
Fields, E.		Deputy Director /Operations		
Sanderoff, L.		Investigation Supervisor		
Logan, B.		Legislation/Regulations Manager		
Brand, E.		Licensing Manager		
Evans, T.		Pharmacist Inspector		
I. Executive Committee Report(s) Spell out and please change on template	A.) M. Gavgani, Board President	<i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i> 1. Call to Order		

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	B.) Z. St. Cyr, II, Secretary	<p>2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i></p> <p>3. Distribution of Agenda and packet materials</p> <p>4. Review and approve August 2017 Minutes</p>																					
II. A. Executive Director Report	D. Speights-Napata, Executive Director	<p>1. Operations Updates</p> <p>2. Meetings Update</p>																					
B. Operations	E. Fields, Deputy Director of Operations	<p>1. Administration and Public Support (APS) Unit Updates [ZSCI1]</p> <p>2. Data Integrity Unit Updates</p> <p>3. Management Information Systems (MIS) [ZSCI2] Unit Updates</p> <p>4. Budget Update</p>																					
C. Licensing	E. Brand, Compliance Manager	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <table><tr><td>License Type</td><td>New</td><td>Renewed</td><td>Reinstated</td><td>Total</td></tr><tr><td>Distributor</td><td>17</td><td>51</td><td>0</td><td>1,180</td></tr><tr><td>Pharmacy</td><td>13</td><td>0</td><td>0</td><td>2,120</td></tr><tr><td>Pharmacist</td><td>96</td><td>471</td><td>0</td><td>11,435</td></tr></table>	License Type	New	Renewed	Reinstated	Total	Distributor	17	51	0	1,180	Pharmacy	13	0	0	2,120	Pharmacist	96	471	0	11,435	
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		<table><tr><td>Vaccination</td><td>41</td><td>12</td><td>0</td><td>4,388</td></tr><tr><td>Pharmacy Intern - Graduates</td><td>3</td><td>0</td><td>0</td><td>48</td></tr><tr><td>Pharmacy Intern - Students</td><td>34</td><td>20</td><td>0</td><td>926</td></tr><tr><td>Pharmacy Technician</td><td>104</td><td>294</td><td>4</td><td>9,797</td></tr><tr><td>TOTAL</td><td>308</td><td>848</td><td>4</td><td>29,894</td></tr></table>	Vaccination	41	12	0	4,388	Pharmacy Intern - Graduates	3	0	0	48	Pharmacy Intern - Students	34	20	0	926	Pharmacy Technician	104	294	4	9,797	TOTAL	308	848	4	29,894	
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D. Compliance	T. Evans, Pharmacist Inspector	<div>1. Unit Updates</div> <div>2. Monthly Statistics</div> <div>Complaints & Investigations:</div> <div>New Complaints - 17</div> <div>Resolved (Including Carryover) - 40</div> <div>Actions within Goal- 37/40</div> <div>Final disciplinary actions taken - 4</div> <div>Summary Actions Taken - 5</div> <div>Average days to complete - 124</div> <div>Inspections:</div> <div>Total – 90</div> <div>Annual Inspections - 83</div> <div>Opening Inspection - 3</div> <div>Closing Inspections – 1</div> <div>Relocation/Change of Ownership Inspections – 1</div> <div>Board Special Investigation Inspections - 2</div>																										

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E. Legislation & Regulations	B. Logan, Legislation and Regulations Manager	<p><u>1. COMAR 10.34.37 Pharmacy Permit Holder Requirements — Wholesale Distribution and Non-Resident Pharmacy Operations</u></p> <p><u>2. COMAR 10.34.05.05 Security Responsibility</u></p> <p><u>3. COMAR 10.34.34.05 Pharmacy Students</u></p> <p><u>4. COMAR 10.34.32.03 D Requirements to Administer Vaccinations</u></p> <p><u>5. COMAR 10.34.40 Pharmacist Prescribing and Dispensing Contraceptives</u></p>	
<p>III. Committee Reports</p> <p>A. Practice Committee</p>	R. Peters, Chair	<p><u>Question- Kenneth Wells-</u> In late June, I sent you the email below. Legislation has now passed in Maryland, authorizing Maryland pharmacists to prescribe hormonal contraceptives and self-administered hormonal contraceptives.</p> <p>We recently spoke with Aliyah Horton, CAE, Executive Director of the Maryland Pharmacists Association, concerning our state specific on-line contraceptive course, currently used in several states. With input from Aliyah, we will be contacting the University of Maryland College of Pharmacy.</p> <p>In Colorado, we partnered with the University of Colorado Skaggs School of Pharmacy and Pharmaceutical Sciences and developed their 4 hour training and certification course. We hope to develop a similar partnership with the Maryland Pharmacists Association and The University of Maryland College of Pharmacy, to develop a customized on-line training for the pharmacists of Maryland.</p> <p><u>Proposed Answer:</u></p> <p>The Maryland Board in collaboration with interested stakeholders is currently promulgating regulations that will establish standard procedures that a pharmacists will use to select the appropriate contraceptive. These regulations will also require a pharmacists to complete a training program approved by the Board. At this time it</p>	

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		<p>is too premature to speculate on what the recommended training requirements will be presented to the Board from the workgroup.</p> <p><u>Question- Jessica Rice, Wisconsin Vision Assoc.</u> My name is Jessica and I am reaching out to you today from Wisconsin Vision Associates Inc., we are an authorized soft contact lens distributor and we ship directly to the prescriber as well as directly to the patient on behalf of the prescriber. We do not sell to patients directly, but only ship to them if directed by the prescriber. We, at WVA, would like to be compliant with the registration requirements that your state may, or may not, deem necessary. Please confirm if your state does, or does not, require registration, as we would be happy to apply, register, and become compliant to ship contact lenses into your state.</p> <p>We are also interested to know if there are any registration requirements for the distribution of Ophthalmic lenses to your state.</p> <p><u>Proposed Answer:</u> The soft contact lenses you described would fall under a device that is excluded from the Pharmacy Act pursuant to Health Occupations, §12-102 (i).</p> <p><u>Question- Brad's Oldtown Road Pharmacy</u> We have been notified that a local doctor has been put on medicare suspension as of tomorrow. We need to verify if refills on scripts this doctor has written for medicare patients will still be valid and able to be filled. Please advise us on how to proceed</p> <p><u>Proposed Answer:</u> Please be advised that the Maryland Pharmacy Act does not address Medicare suspension of providers. You may wish to contact or refer this inquiry to the payer company regarding the Medicare suspension.</p>	

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B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a) Applicant#113532- The applicant is requesting a refund of her Maryland reciprocity application fee (\$300). She was advised by her employer to obtain a Maryland license for work purposes. The company then notified her to not obtain the license because they already had several Maryland licenses. NABP has refunded her ELTP application. <u>Licensing Committee's Recommendation:</u> Deny</p> <p>2. Review of Pharmacy Intern Applications:</p> <p>a) Applicant#113716- The applicant has decided to withdraw his application and is requesting a refund (\$45[ZSC13]). He is no longer interested in working in Maryland. <u>Licensing Committee's Recommendation:</u> Deny</p> <p>3. Review of Pharmacy Technician Applications:</p> <p>a) Applicant#T00053 (Renewal)- The applicant is requesting more time to complete her CE credits. [ZSC14]She had two hip replacement operations within the last month. This caused her to be in rehab twice since June. She just returned home on July 13. The applicant states she is still under home care until the end of August. <u>Licensing Committee's Recommendation:</u> Deny</p> <p>4. Review of Distributor Applications:</p> <p>a) Permit #D02127- The company is appealing the denial of its request for extension of its reinstatement application. The</p>	

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		<p>initial request was denied at the July 2017 Board meeting. The company is awaiting VAWD accreditation and it is taking longer than anticipated. <u>Licensing Committee's Recommendation:</u> Approve a 45- day extension.</p> <p>b) Permit #D01594- The company is requesting waiver of the reinstatement fee for the Distributor permit. The company states the primary basis for the request is that the renewal notification was not received. We reviewed our records and found that the permit holder notified the Board of the change of address and underwent inspection at the new facility. The change of address was not entered on all the fields in our system and the notice was sent to the prior address. <u>Licensing Committee's Recommendation:</u> Approve waiver</p> <p>c) Wholesale Distributors whose renewal applications were filed between 5/18/2017-5/31/2017 and are missing criminal background checks. <u>Licensing Committee's Recommendation:</u> Send a letter with CJIS application and grant a final 45-day extension. The Committee voted to send the letters immediately and request ratification from the Board.</p> <p>5. Review of Pharmacy Applications:</p> <p>a) Applicant#113536- Pharmacy is requesting a waiver of the Maryland licensed pharmacist requirement. The pharmacy specializes in medication for Huntington's disease. They assert that they provide medication overnight while other pharmacies take a few weeks. The pharmacy has not provided a reason for the waiver request. <u>Licensing Committee's Recommendation:</u> Deny</p>	

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		<p>6. Review of Pharmacy Technicians Training Programs:</p> <p>a) Supervalu[ZSC15]- Requesting approval of Pharmacy Technician Training Program and Examination. <u>Licensing Committee's Recommendation:</u> Approve</p> <p>7. New Business: NONE</p>	
C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update:	
D. Disciplinary	K. Morgan, Chair	Disciplinary Committee Update:	
E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Task Force Update:	
IV. Other Business & FYI	M. Gavgani, President		
V. Adjournment	M. Gavgani, President	<p>A. The Public Meeting was adjourned.</p> <p>B. M. Gavgani convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, M. Gavgani convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p>	

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		D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.	